

City Council Minutes
Tuesday, March 11, 2014
City Hall Auditorium
7:00 pm

1. Councilor McMilleon called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was led by Councilor Lavoie.
3. Roll Call was taken by Clerk Kitchin–Councilor Lavoie, Councilor McClure, Councilor Moavenzadeh, Councilor Sherwood, Councilor Sickorez, Councilor Bartley, Councilor Ferguson, Councilor Kelcourse and Councilor McMilleon
4. Act on minutes – December 30, 2014
Councilor Ferguson moved to accept as submitted, Councilor Sherwood seconded and it was voted Unanimous.
5. Mayoral Appointments –
2014-036 Normand W. Pare re-appointment to Board of Registrars term to expire March 31, 2017.
Councilor Lavoie moved to re-appoint Mr. Pare with a term to expire on March 31, 2017.
Councilor Ferguson seconded and it was voted Unanimous.

2014-038 Jane Snow to Cemetery Advisory Board term to expire June 30, 2017.
Ms. Snow gave a brief presentation of her reasons for applying for this committee. Councilor Kelcourse moved to appoint Ms. Snow with a term to expire June 30, 2017. Councilor McClure seconded and it was voted Unanimous.

2014-039 David Haraske to Zoning Board of Appeals term to expire June 30, 2017.
Mr. Haraske gave brief presentation of his reasons for applying for the committee. Councilor Sherwood moved to appoint Mr. Haraske with a term to expire June 30, 2017. Councilor Ferguson seconded and it was voted Unanimous.
6. Licenses & Permits –
2014-016 General Business – Chantel Carpenter, Port City Clean Sweep, 164 Whitehall Rd.-No Show – Councilor Ferguson moved to continue to next month. Councilor Sickorez seconded and it was voted Unanimous.

2014-020 General Business – Mihai Serban, Appliance Doctor, 41 Dublin St. – No Show – Councilor Lavoie moved to table. Councilor Kelcourse seconded and it was voted Unanimous.

2014-034 Common Victualler – Sabrina Fenton, Park Place Pantry, 14 Cedar Street

Ed Segal, President of Park Place Pantry and Sabrina Fenton, Director of Operations stated that they will be preparing a fresh Salsa at Kitchen Local for Farmers Markets around the Boston, Cambridge and Somerville area this coming season.

Councilor Sherwood moved to approve with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-035 Common Victualler – Jennifer Sacchi dba Sweet E's Pie & Cake, 14 Cedar Street – No Show

Councilor McClure moved to table. Councilor Kelcourse seconded and it was voted Unanimous.

2014-037 General Business – Maria O'Connor dba Ancient Fire Henna, Mobile

Ms. O'Connor stated that she does Henna Tattoos. She travels to different venues around New England and there will be no work at her address it is strictly mobile.

Councilor Ferguson moved to accept with the usual stipulations. Councilor McClure seconded and it was voted Unanimous.

2014-052 Economic Incentive Strategy – TIF Guidelines Proposal – Mayor Gray, William Scott and various speakers

Mayor Gray and Bill Scott gave a presentation on Economic Incentives. (PowerPoint presentation is attached)

Melissa LaChance, Chamber of Commerce Director spoke in favor of this plan.

Richard Bartley, Chair of the Economic Development Committee at the Chamber of Commerce also spoke in favor of this plan

Councilor Lavoie stated that he would be adding this to the Ordinance Committee agenda as well to get started on it.

7. Correspondence

a. President/Vice President Communications

Councilor McMilleon stated that there was a request for the Fukushima people to come before the City Council. He stated that he will be calling a Special meeting of the Council on March 25, 2014 at 6:30 for them to present prior to the Finance Committee at 7:00 p.m. at Rules and Procedures at 6:00 p.m.

Councilor Ferguson asked for the Rules Committee to meet on a different night because the last meeting went an hour and she feels that a half hour is not enough time. A date of April 1, 2014 was scheduled for 6:00 p.m.

b. Communication from Elected Officials, Boards and Commissions

Councilor McMilleon stated that everyone should have a copy of the CIP, Finance Forecast and the Annual Water and Sewer Reports.

2014-048 2015-2019 Capital Improvement Plan

Councilor Sherwood moved to send 2014-048 to the Finance Committee. Councilor Kelcourse seconded.

Councilor Sherwood stated his reasons why he is suggesting this go to the Finance Committee was for the Committee to get an overview from the Mayor and Mr. Basque of its contents. It was voted Unanimous. A date was to be determined after coordinating with the Mayor and Mr. Basque.

2014-049 FY2014-2019 Financial Forecast – There was no discussion.

2014-050 FY2013 Annual Water Report – There was no discussion.

2014-051 FY2013 Annual Sewer Report – There was no discussion.

c. Council Communications, Announcements and Committee Reports

Councilor Kelcourse mentioned that the Rules Committee met on March 4, 2014 at 6:00 pm and they discussed the current structure of Licensing and the wish to address as far as delegating some responsibility to the Clerk's Office; items that are routine in everyday matters like the folks who come to the Council podium they would be handled in the Clerk's Office and would not be required to come before the Council unless of course there is problem. There was also discussion about the makeup of the Finance Committee and whether we should be bringing in some citizen members as we have before or maintain the current makeup and we will continue the debate on that at our next meeting.

8. Public Comment-Councilor McMilleon opened

Jane Snow reminded that fees should be brought up for review again.

Councilor McMilleon closed.

9. Council Response to Public Comment

There was no Council response.

10. Public Hearings:

2014-026 An Order to Grant an Easement to National Grid – Mayor Gray Sponsor

Summary: This order authorizes the Mayor to grant an easement to National Grid for the purpose of installing and maintaining a new electric service to the Amesbury Fire Station located at 17 School St.

Councilor McMilleon opened and closed the public hearing.

Rob Desmarais stated that this is an easement that the town will grant in order to allow access to the electrical service for the Fire Station. It is in conjunction with the renovation.

Councilor Lavoie gave the Ordinance Committee recommendation which was unanimously to adopt as submitted.

Councilor McClure gave the Finance Committee recommendation which was to unanimously approve as submitted.

Councilor Jonathan Sherwood moved to accept the order to grant an Easement to National Grid for the purpose of installing and maintaining a new electric service to the Amesbury Fire Station. Councilor David Moavenzadeh seconded. VOTED UNANIMOUS (9 - Members present)

2014-027 An Order to acquire property interests relative to Route 150 road improvement project and to appropriate funds to acquire said property interests. – Mayor Gray Sponsor

Summary: In order to accomplish the Route 150 road improvements, the City Council shall appropriate funds and vote to acquire the necessary property interests by eminent domain, or otherwise, and shall authorize the Mayor to award compensation to acquire the necessary property interests to construct the road improvements and to execute an Order of Taking to acquire said property interests

Mr. Desmarais stated that the next three orders are in conjunction with the re-construction of Route 150 that is going to be completed by Mass DOT. The cities responsibility is to acquire all of the necessary temporary and permanent easements in order to accommodate the construction. The raise and appropriate funds is \$94,688.00 which will come from Chapter 90 and you are authorizing the Mayor to issue the order of taking.

Councilor McMilleon opened and closed the public hearing.

Councilor McClure gave the Finance Committee recommendation which was to unanimously approve as submitted.

Councilor Lavoie gave the Ordinance Committee recommendation which was to unanimously approve as submitted.

Councilor Jonathan Sherwood moved to approve 2014-027, an Order to acquire property interests relative to the Route 150 road improvement project and to appropriate funds to acquire said property interests. Councilor Anne Ferguson seconded. Roll Call Vote - 9 -Yes, Lavoie, McClure, Moavenzadeh, Sherwood, Sickorez, Bartley, Ferguson, Kelcourse, McMilleon

2014-028 An Order to vote Intent to Alter the layout of Hillside Avenue and Sparhawk St. – Mayor Gray Sponsor

Summary: In connection with the Route 150 Improvements, the City Council shall vote its intent to alter the layout of Hillside Avenue and Sparhawk Street.

Councilor McClure gave the Finance Committee recommendation to unanimously approve as submitted.

Councilor McMilleon opened and closed the public hearing.

Councilor Lavoie gave the Ordinance Committee recommendation which was to unanimously approve as submitted.

Councilor Sherwood commented that as a Rep. from District 6 he has had the opportunity to talk to neighbors who will be directly and indirectly affected by it and have passed on questions and concerns to Mr. Desmarais. By and large there has been a good bit of public process on the part of the state to inform all of the properties affected. He is happy that he has had positive response about the anticipated changes.

Councilor Lavoie asked if Mr. Desmarais could address the tree situation.

Mr. Desmarais stated that there are seven trees being taken down along the route and they will be replaced with approximately 30 trees by the end of the project.

Councilor James Kelcourse moved to approve Order 2014-028, the Intent to Alter the layout of Hillside Avenue and Sparhawk Street in connection with the Route 150 improvements. Councilor David Moavenzadeh seconded. Roll Call Vote - 9 -Yes, Lavoie, McClure, Moavenzadeh, Sherwood, Sickorez, Bartley, Ferguson, Kelcourse, McMilleon

2014-029 An Order to Alter the Layout of Hillside Avenue and Sparhawk Street. – Mayor Gray Sponsor

Summary: In connection with the Route 150 Improvements, the City Council shall vote to alter the layout of Hillside Avenue and Sparhawk Street.

Councilor McMilleon opened and closed the public hearing.

Councilor McClure gave the Finance Committee recommendation which was to unanimously approve as submitted.

Councilor Lavoie gave the Ordinance Committee recommendation which was to unanimously approve as submitted.

Councilor Paul Sickorez moved to approve Order 2014-029, to Alter the Layout of Hillside Avenue and Sparhawk Street in connection with the Route 150 improvements. Councilor Donna McClure seconded. Roll Call Vote - 9 -Yes, Lavoie, McClure, Moavenzadeh, Sherwood, Sickorez, Bartley, Ferguson, Kelcourse, McMilleon

2014-030 An Order that the Amesbury City Council accept funds of \$200,000 from Massachusetts Development Finance Agency concerning the project located at 25, 27, and 31

Water Street (known as Heritage Park) for additional site assessment and remediation work recommended by the LSP. – Mayor Gray Sponsor

Summary: Additional site assessment and remediation work has been recommended by the LSP for the Heritage Park Project as further described in the LSP's Proposal Addendum #2 dated October 1, 2013, and Proposal Addenda #3, 4, and 5 dated December 11, 2013 and the city has requested and Mass Development has agreed to provide additional funds up to \$200,000 for the project remediation of the project for a total site assessment and remediation recoverable grant of \$289,613.00.

Councilor McMilleon opened and closed the public hearing.

Councilor McClure gave the Finance Committee recommendation which was to unanimously approve as submitted.

Councilor James Kelcourse moved to approve Order 2014-030, to Accept funds of \$200,000 from Massachusetts Development Finance Agency concerning the project located at 25, 27, and 31 Water Street (known as Heritage Park) for additional site assessment and remediation work recommended by the LSP. Councilor Lavoie seconded. Roll Call Vote - 9 -Yes, Lavoie, McClure, Moavenzadeh, Sherwood, Sickorez, Bartley, Ferguson, Kelcourse, McMilleon

11. First Readings

2014-040 An Order to accept a grant in the amount of \$5,150 from the MCOA.

Summary: The Amesbury Council on Aging has been awarded funding from the Massachusetts Association of Councils on Aging, in conjunction with the Massachusetts Executive Office of Elder Affairs and National Council on Aging for the implementing of an Aging Mastery Pilot program.

Councilor Sherwood moved to send this to the Finance Committee and schedule a public hearing for April 8, 2014. Councilor Ferguson seconded and it was voted unanimous.

2014-041 An Order to transfer property for public way purposes

Summary: In order to create Heritage Park, and in connection with the reconfiguration of lots in Lower Millyard, the City Council shall transfer certain property for public way purposes.

Councilor Ferguson moved to send this to the Ordinance Committee and schedule a public hearing for April 8, 2014. Councilor Sherwood Seconded and it was voted unanimous.

2014-042 An Order to transfer property for general municipal purposes.

Summary: In order to create Heritage Park, and in connection with the reconfiguration of lots in Lower Millyard, the City Council shall transfer certain property for general municipal purposes.

Councilor Kelcourse moved to send this to the Ordinance Committee and schedule a public hearing for April 8, 2014. Councilor Lavoie seconded and it was voted unanimous.

2014-043 An Order to: Transfer and Dedicate property to Park and Recreational use to be known as Heritage Park.

Summary: In order to create heritage Park, and in connection with the reconfiguration of lots in Lower Millyard, the City Council shall transfer and dedicate certain property to park and recreational use.

Councilor Kelcourse moved to send this to the Ordinance Committee and schedule a public hearing For April 8, 2014. Councilor Bartley seconded and it was voted unanimous.

2014-044 An order to acquire certain title, rights and easements within Heritage Park, and to grant an easement for maintenance and repair

Summary: In order to create Heritage Park, the city council shall acquire any and all rights of the owner of 29 Water St insofar as they may affect Heritage Park, and grant and easement for maintenance and repair to said property owner.

Councilor Kelcourse moved to send this to the Ordinance Committee and schedule a public hearing for April 8, 2014. Councilor Ferguson seconded and it was voted unanimous.

2014-045 An Order to alter Water Street, discontinue portions of said Water Street and include a portion of Ring Street in Water St.

Summary: In order to create Heritage Park, and in connection with the reconfiguration of the lots in Lower Millyard, the city council shall alter Water St., discontinue portions of Water Street and include a portion of Ring Street in Water Street.

Councilor Ferguson moved to send this to the Ordinance Committee and schedule a public hearing for April 8, 2014. Councilor Bartley seconded and it was voted unanimous.

2014-046 An order to vote intent to alter Water St. and discontinue portions of said Water St. and refer to Planning Board.

Councilor Kelcourse moved to send this to the Ordinance Committee and the Planning Board and schedule a public hearing for April 8, 2014. Councilor Ferguson seconded and it was voted unanimous.

2014-047 An Order that the Amesbury City Council accept funds of \$10,000 from the Massachusetts Housing and Community Development Office more specifically the Downtown Initiative Program, concerning the Wayfinding project for signage throughout the community. The value of \$10,000 is provided in the form of consulting services from a designer hired by the State Office. Information and scope for the project is attached hereto and incorporated by

reference in the form of a letter from Mayor Gray dated March 3, 2014 with the Wayfinding project scope attachments.

Councilor Ferguson moved to send this to the Finance Committee and schedule a public hearing for April 8, 2014. Councilor Sherwood seconded and it was voted unanimous.

Councilor Lavoie mentioned that the Ordinance Committee will be meeting next Tuesday and will be taking up the Medical Marijuana bills.

Councilor McClure asked if a Task Force put together with Planning.

Councilor Lavoie stated that he attended the Planning Board meeting on March 3 of which he and Councilor Kelcourse and Councilor Sherwood were present and around 11:30 pm. It was suggested that a Task Force be created which includes 3 Council members to work on the zoning overlay issues. It was determined that Councilor Sherwood, Councilor Sickorez and Councilor McClure would be the Council representatives.

12. Adjourn – Councilor McClure moved to adjourn at 8:50 p.m. Councilor Sherwood seconded and it was voted unanimous.

Respectfully submitted,

Sharon Dunning
Assistant City Clerk